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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna"



International Supervisors Voting

"Viasna" in Kosovo

Among 2000 international supervisors in Kosovo there were 7 members of the Human Rights Center "Viasna"

On November 17, in Kosovo the OCSE organized elections to the local legislative body – the Assembly. The party of Ibragim Rugova won the elections. Rugova's party is also called "the party of teachers", because many of its members belong to intellegencia. Ibragim Rugova is a poet, his party is considered centrist.

About 2 000 supervisors, people, who assist in organizing the election, from all over Europe were sent to Kosovo. There were 7 supervisors from Belarus – members of "Viasna" and representatives of the Civic Initiative "Independent Monitoring". Having come home, Belarusian supervisors told us about the peculiarities of their work in Kosovo.

Valantsin Stefanovich, Lawyer of the Human Rights Center "Viasna":

"Our main task was to provide for the maximum participation of the local voters in election and to minimize the possible falsifications. OSCE has completely worked out all administrative regulations for the election.

(Continued on pages 4-5)



Працэс галасаваньня.

Chronicle

On November 15 activists of "Young Front" organized a picket on Banhalor square. "Young Front" protested against violations of the freedom of speech, in particular, closing down Hrodna independent newspaper "Pahonia". The picketers had posters "Free Belarus in Free Europe!", "Freedom of Speech in Belarus!", "I love Europe!", etc. in their hands. About 10 Young Front members distributed "Belarusian Popular Front News" and "Young Front newsletter" to the passers-by. There were no incidents with police.

On November 16, the Universal day of tolerance, the trials over the defenders of Kurapaty burial continued at Miensk courts. The charges were brought after the events on November 8 and 9. The following sentences were made:

Mikalai Viazmin – fined 30 minimal wages;

Mikalai Valadzko – fined 5 minimal wages;

Alexander Tsialehin – fined 10 minimal wages;

Iryna Kashtalan – the case was closed because of absence of corpus delicti;

Mikita Sasim – trial postponed to November 21;

Mikalai Tkachenka and Fabishewski were tried as well.

It is worth mentioning that for several years people in many countries celebrate November 16 as an International Day of Tolerance. The day is celebrated by actions, directed at overcoming distrust and malevolence among people.

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Dzmitry Zavadski Missing

Tracing the crime back...

On November 23 Minsk region court, which hears the case of "Ihnatovich group" started interro gating employees of Belarusian office of ORT (Public Russian Television). They are questioned in connection with one of the episodes of the case on kidnapping Dzmitry Zavadski.

The proceedings take place in the building of the Supreme Court and are still closed to public. Journalists are not let to the courtroom. A great number of policemen and special services agents in plain clothes are always on duty around the building.

Last week Alaksei Huz — one of the accused – appealed to Zavadski's family, stating that neither he nor Valery Ihnatovich nor the other accused, have any connection with disappearing of Zavadski. Paval Sharamet, Dzmitry's friend and ORT employee visited Minsk for filming a part of the film "Last Day of the Empire" about the dissolution of the Soviet Union. In his interview to BelaPAN he said that he was still convinced that some Belarusian officials are connected to Dzmitry Zavadski's kidnapping: "I think that either Ihnatovich's group was a link in a large chain or was simply executing somebody's order. I am still convinced of relation of the secret services to this case. I have serious reasons to suspect the ex-Chairman of Security Council Viktar Sheiman, who controls the arms trade. With every upcoming day I have more and more questions to Sheiman. It's a great pity that at present he is heading the body which is to ask these questions (Viktar Sheiman is Prosecutor General

of Belarus)". According to Sharamet, most probably Lukashenka didn't order to kidnap Zavadski, it was an initiative of the bodies, connected with the Security Council.

Ex-KGB agent Henadz Uhlanitsa and "Kraj" activist Andrei Zharnasek, who left Belarus in August and live now in Norway, also think



Dzmitry Zavadski.

that "Ihnatovich group" has no connection to Zavadski's disappearing. In his interview to RFE/RL Uhlanitsa said Zavadski traveled to Chechnya three times, not twice as it was believed. The journalist never shared with anyone the circumstances of his third trip, during which he was detained by Russian soldiers. "We started to search for Hanchar and Krasowski, — says Uhlanitsa, — and it became clear that Pavlichenka and his SOBR [the Interior Ministry's special rapid response unit] have something to do with it. We learned that SOBR under Pavlichenka was disbanded in December 2000, after Pavlichenka had been detained by KGB and later scandalously released, and Bazhelka (Prosecutor general) and Matskevich (head of KGB) were dismissed from their posts. Most of the people, who had served in SOBR were hired by Russia to fight against Chechen rebels..."

Zharnasek adds: "Just imagine, that on July 3-4, during the celebrations of the Day of the Republic held at the military unit # 3214, Zavadski met the people, who had detained him in Chechnya, but they were already wearing Belarusian Army uniform..."

This way, the case of Zavadski disappearing is again traced back to the same Pavlichenka and further to the Security Council...

On November 23 the court interrogated workers of ORT Belarusian Bureau: Dzmitry Navazhylaw, its Head, cameraman Siarhei Helbakh, driver Yaraslaw Awchynnikaw. They had to sign the undertaking not to distribute the secret information... According to Navazhylaw, he has the impression that the judge tries to investigate the real circumstances of the case. He expressed his hope that "the judge will have enough courage and honesty to find the guilty persons and punish them".

Cleansing in the First Ranks

It has been noticed long ago that the end of any political campaign in Belarus is immediately followed by a series of dismissals and arrests on criminal charges in the circle of high-ranking officials. That happened after referendum of 1996 and after parliamentary election of 2001; the same is happening after the recent presidential election. Lukashenka cannot overlook even the smallest hesitation and suspicion in unfaithfulness, all the more open expression of dissatisfaction with the "father's" policy.

The first to experience Lukashenka's vengeance were ex-prime-minister Mikhail Chyhir, ex-minister of agriculture Vasil Lavonaw, chair of "Rassvet" collective farm Vasil Staravoitaw, members of the Supreme Soviet of 13th convocation Uladzimir Kudzinaw and Andrei Klimaw, etc. All the people named here are still called political prisoners, because all of them served a term behind the bars (Andrei Klimaw is still in prison) for the so called "economic crimes". Although it was quite transparent that their real "crime" was their political activity.

Lukashenka followed this tradition after the "victory" in the presidential election. Immediately after the election he dismissed his closest companions, as one would think: ex-prime-minister U. Yarmoshyn, vice-premiers U. Zamiatalin and M. Dziamchuk, head of Presidential Administration M. Miasnikovich... Some of them have already got some honorary posts, and some of them are still waiting. But what are they waiting for? For a sinecure or for a prison (in the literal meaning of the word)? The latest events have demonstrated that all of them have a lot to beware of.

On November 21 they arrested Leanid Kaluhin, the chief of Minsk Refrigerator Factory "Atlant". "Atlant" is one of the most stable factories in the country, but nobody was really surprised about his arrest. Everybody could recall, that in spite of repeated efforts of Lukashenka's administration, Kaluhin refused to withdraw his candidature. No forgiveness... Leanid Kaluhin is charged under several articles of the Criminal Code: abuse of power or position (article 424 part 3), failure to return foreign currency from abroad (article 225), illegal business activities (article 233 part 2). The factory workers stood up for their chief. In their statement the workers express doubts, that Kaluhin, who is also a believer and did a lot for the Orthodox Church, could commit crimes. Sixty-one-year-old Kaluhin went on a hunger strike right after his arrest. Though he had to stop it for the health reasons.

Another official – head of the Belarusian State Railway Company Viktar Rakhmanko – is waiting for arrest any time. He is also criminally charged. However, he is a member of the Council of the Republic (he, as well as other members of the higher chamber, was appointed there by Lukashenka), and can be arrested only with the agreement of the Council. Still, until now nobody in the Chamber said anything against.

We will have enough time to examine the real reasons for the new arrests of Belarusian officials. However, during the long years of Lukashenka's rule we had enough chances to realize that he never gave away his own "gang" and the people he put in prison were not criminals, but his political opponents.

A. CHAS

A RIGHT TO A MISTAKE…

A MINER DOESN'T HAVE IT; WHAT ABOUT A DOCTOR?

It was a terrible death. She was healthy and relatively young. Unfortunately, she had an urge to get a medical examination, just to make sure everything was ok. A doctor, far from being a beginner, made her a vitamin injection, and injected…air together with it. The result was, as doctors say, a lethal outcome. Her husband, having almost lost his reason with the unexpected grief, dealt with the funeral and did not manage to make to the court. Later, when life got back on its track again, he just gave it up as hopeless: nothing would make his wife alive…

Chronic radiculitis patient went for a medical massage. In spite of his M.D. degree and the license to conduct manual therapy, the doctor broke a lumbar vertebra as a result of massage. The medicine victim did not manage to prove the fault of the doctor…

Parents sent their small son to the country for summer vacation. All of a sudden he felt a stomach ache. Anxious grandmother called for an ambulance. Ambulance doctor diagnosed appendicitis. They took him to the nearest area town, to the hospital. The guy was put on the surgical table. The surgeon took a scalpel and… was stunned, having seen a stitch on the boy's stomach – appendix surgery had been conducted a year ago…

A woman decided to change a tooth filling. Instead of an anaesthetic novocaine the dentist injected ammonia. The woman got a chemical burn of the palate. She was going to take care of a tooth, and lost…the whole jaw. Specialists say a surgery of making a denture could be done abroad and would cost about 30 thousand dollars. The clinic administration denies the doctor's fault. They say, the injection was made by a probationer, who cannot bear criminal responsibility. The Ministry of Health is not going to compensate moral, physical, or financial damage…

Enough examples. These cases of various medical mistakes took place in Belarusian cities, towns and villages. They are still taking place now. When I decided to examine this issue thoroughly, I was simply terrified: the family of every (!) my acquaintance had different kinds of troubles (from funny to fatal), directly connected with our not really obtrusive health service.

People say, there are museums in some hospitals. Museums of different things (watches, earrings, pincers, scissors…), "forgotten" by doctors inside their patients during surgeries. Well, let's not pay attention to such "curious amusing things", though there are just another proof that our health services are far from perfect.

We are talking about quite another matter: when doctors make a wrong diagnosis, treat patients incorrectly, make surgical mistakes. Their poor, even harmful work leads to suffering, disabilities, and occasional deaths…

Any newspaper gets a lot of letters from former patients. I have always been surprised by an opinion, that a doctor, who has honestly performed his duty, has accomplished a professional and a civic feat! To my mind, he has just performed his duty. The same as an engineer, a worker, a driver. But the drier, who broke the traffic rules and knocked down a pedestrian, goes to jail. But never does the doctor, who hurt a patient. At least I can't remember any cases like that. Why? We'll talk about the probable reasons later. Let's also give up an idea that sometimes a doctor is not able to perform his duty because of the poor equipment, lack of medical supplies and poor working conditions. Let's talk about medical ethics.

One of the Russian humorists said: "It is still possible to live, but it's absolutely impossible to be sick!" Belarusian reality is even more severe: it is impossible to live, all the more to get a proper medical treatment. Such a conclusion one can draw from the minutes of the Health Ministry Board, which discussed an issue of "damage to the health of a patient, made by improper performance of professional duties by medical stuff, in the frames of adopting the new Criminal Code". Well, on a meeting of this Board, the Minister expressed an opinion, that "a doctor has a right to a mistake". Can anyone agree with that? Aren't there too many of these mistakes?

In the interview to the "Right to Freedom", Corresponding Member of International Academy of Gerontology Valery Shumilaw, M.D., repeated the thing, which he many times published in the independent media: "A doctor, just as a miner, does not have a right to a mistake. A miner pays with his own life, a doctor – with health and life of his patients. Moreover, he receives money for that. Certainly, no one is insured against mistakes. A practicing doctor will always make mistakes. But one should know that mistakes differ. If a mistake leads to the death of a patient, it is unforgivable". Article 162 of the Criminal Code "improper performance of professional duties by a medical stuff" provides for a punishment of a fine or up to 3 years of prison. Who ever heard of such a sentence to a dishonest doctor? Nobody, because of the corporate interests. In other words, one professional will always support and protect another one. Any conflict between a patient and a doctor results in a reprimand for the latter; nobody washes the dirty linen in public – all information stays in the borders of a medical clinic. Even Bill Clinton, ex-president of the United States, talked about medical mistakes as of a menace to national security. Medical mistakes were number 5 in the rating of the mortality reasons in the US. What more can be said about Belarus?! Unlike Americans, we can only guess about analogical statistics in Belarus… Such statistics is a sealed book to us. Even a journalist would not manage to receive such kind of information from the Ministry of Health. The Health Service bodies do not protect the rights of patients, they protect their mythical and ungrounded prestige. My doctor-friends secretly confess what tricks they have to make in order to protect the corporation trade-mark: rewrite case-histories of the patients, who died or acquired disability as the result of a wrong treatment; "lose" medical forms; juggle with facts and numbers… What kind of medical ethics can we talk about?

(Continued on page 6)



Photo of "RF"

"Viasna" in Kosovo

(Continued from page 1)

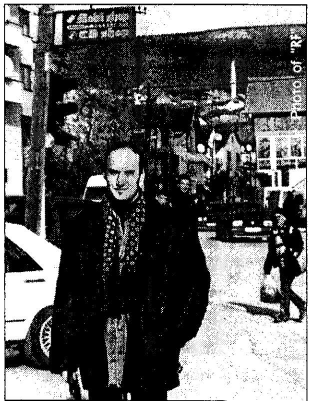
I was sent to Malisevo area, to a small town of Orahovac. This is the western part of Kosovo, not far from the border with Albania. The supervisors (seven of us: Czechs, Slovaks, and me) were staying in the house of an Albanian family. Our hosts had 7 children, which is very typical for Albanian families. It was the time of Ramadan, and all Moslems (including members of the election commission) didn't eat or drink anything during the day. When the sun set, everybody went to eat festive food. I was also invited. We ate different sweet things, something like rahat lakoum, and also burek (if I got the name right), this is a thing like pizza – made of pastry, with cheese and relish inside. We drank sweet tea.

We were told before that we shouldn't say no if somebody is treating us. This could insult a host.

Election Commissions were formed of the representatives of different political parties, which are present in Kosovo. The task of the supervisors was to observe how the OSCE requirements are followed and to keep order at the polling station. Supervisors had access to all information. Of course, we couldn't violate the principles of the secret ballot. The election procedure was worked out perfectly. It was absolutely impossible to substitute ballot-papers. They had quite a strong protection – water-marks and serial numbers. When a voter got a ballot-paper, the counterfoil with a serial number was left at the commission. Later all counterfoils, together with unused ballot papers were counted, put in a separate bag, and sealed. The ballot-boxes were made of cast plastic, which was transparent enough to see that only one ballot-paper is thrown to the ballot-box, but not enough to see what was a voter's choice. The ballot-box was sealed not with plasticine or sealing-wax, but with a plastic wire, which was tied in such a way, that it was absolutely impossible to take it off. Before a voter received a ballot-paper, he would have his point finger sprayed with invisible ink. There was a person with an ultra-violet lamp at the entrance of the polling station, whose task was to check that nobody came to vote for the second time.

Elections were conducted on proportional representation system. There were different parties and independent candidates represented in the ballot-paper, all together 25 aspirants. Out 120 seats in the Assembly, 20 seats are reserved for ethnic communities: 10 seats – for Serbs, 3 – for Bosnians, the same for Horani, Turks, and Roma. All the rest are political party members.

International troops of KFOR consist of the military units of many countries. There are German, American, French, and Italian control zones in Kosovo. There are also military units of other countries present. The place we stayed at was a German zone of control, so mostly we saw German military units. Although there were a few Russian camps, which protected the order in the frames of KFOR. Here I should mention that that Orahovac population didn't



Valantsin Stefanovich

want the Russians to enter their town. They explained their reluctance by the fact that the Russians participated in Yugoslavian army and committed many crimes against civilians. The Albanians blocked the road in a live line and stayed there for 2 months, sleeping in the tents, not letting the Russians to the town. So the Russians stayed out of town. They care controlling the road, which goes from Orahovac to Malisevo. There are Russian block-posts there.

Obviously, I have very interesting impressions of passing block-posts. Although we had no problems, the procedure itself proved to be pretty unpleasant: you drive through very slowly, there are armed soldiers around, and you realize, that the weapon they are holding is not just toy-rifles, that it's all real. At this moment you realize, what Chechen civilians are feeling. Although it is clear that these are international peace keeping forces, which play a very important role of keeping the order. There was another Russian camp nearby the village Sennik, where I was a supervisor.

We have also visited the town of Prizren. This is quite a big town, further to the South. In Prizren we visited a Serbian neighborhood, there are still Serbs living there. I had really terrible impressions... The society is living in a great tension, and in great mutual hatred because of the war. All Serbs, who were able to leave Kosovo, did that. Only the people with no money are left. Mostly elderly people, who cannot go anywhere, because there is nowhere to go. They are practically forced to live in a ghetto, behind the barbed wire. International forces protect the Serbs and don't let marauders and other criminal to rob their houses. Nevertheless, one can feel a serious tension in the air. We were really impressed by an ancient church on a high hill in Prizren. We wanted to see it. But there was a German sentry post and they didn't let us to enter. At first we got mad, but later realized that this was really important that the soldiers protect all churches in Prizren. All the churches are behind the barbed wire now, and there is a sign "KFOR Zone". It is very important because the KFOR (Germans in this case) is protecting all old relics and monuments from destruction during this troubled period.

Generally, Kosovo is recovering itself from the battles, from the war. Many houses are being built. The place, where I was, really reminded of a huge construction site – houses, shops, everything is being built. People are working, but one can still see the war signs – burnt houses. There is still a smell of burning in the air. And lot's of graves everywhere. You simply drive and see graves along the road with pictures of the soldiers in OCK uniform. Mostly young people under 25. All of them were fighting against Yugoslavian Federal Army. There is a big grave in Orahovac, a monument to all soldiers, who died in that area. The grave is completely covered with flowers. I also saw a mosque, all covered with bullet and shell-splinter dents and with a big hole, made by a shell. Nevertheless, there is an Albanian flag hanging on the mosque, which is open for the believers. This mosque is like a symbol, which held out despite everything and will remain standing.

When we drove through the area, I saw fences along the road, which show that there were mine zones behind – such areas are marked by red bands and special plates. By the way, we had been trained about mines: what kind of mines there were. We had been also told not to walk on the battle sites and by no means take blind shells home as "souvenirs".

Conflicts at the polling stations? I can remember of only one problem... During elections we had to check that there were no agitation materials at the polling station and for 100 meters around. Including national flags. A question was raised: what should a supervisor do if the Albanians would bring an Albanian flag and want to put it at the entrance of the polling station? We were explained: "There shouldn't be any flags, but if the Albanians would insist, and you would see that it could disturb the stability at the polling station and the election process...then, in general, nothing terrible would happen if they put their flag". Well, it happened exactly like that. First we met the members of the election commission. We prepared the polling station, installed the polling-booths, place the tables for the commission. Together with the chairperson we decided upon the functions of each member of the commission. We had 2 flags: UN and OSCE, which we put on the roof of the school, which served as a polling station. Immediately the Albanians brought their own flag and said: "We'll also put our own flag!". A red flag with a black double-headed eagle. At first my Slovak companion and I tried to say: "May be we shouldn't put it?" But the Albanians looked pretty determined. I thought: "Albanians make up the majority in this area – 90%. Serbs are not voting at this polling-station. There will be no problem and no tragedy if an Albanian flag would hang on the roof of the school. The main thing, it is not at the polling station itself. What if we, the Belarusians, would want to put up our white-red-white flag, and international organizations would not let us?". The Albanians were glad that we understood them. The election process at our polling station went peacefully. But there was a case, when an American super-

visor took an Albanian flag off her polling station.

That led to quite a trouble. The election was practically stopped. The local Albanians just refused to vote until the flag was returned on its place. This way the American supervisor became famous: she even got to the local press, which covered that story.

Albanians know really little about Belarus. Some of them think, it is a part of Russia. They have a better knowledge of the western countries. They are less familiar with the Eastern Europe. For instance, they still call Czechs Czechoslovaks. They still remember Eastern Europe as it was before. Certainly I told them a lot about Belarus. I also told them that Milosevic was the best friend of Lukashenka. Obviously, everybody hates Milosevic in Kosovo, they consider him the origin of al their sorrows. It was Milosevic who deprived Kosovo from autonomy, which they had had in former Yugoslavia, and who closed down the Albanian University in Pristina. All those things resulted in the events going the way they went. And then Serbian soldiers came, with the task to cleanse Kosovo of Albanians. Certainly, many people were killed during the ethnic cleansing. If it weren't for Milosevic, the Albanian problem might have been solved in a peaceful way.

My interpreter Fisnir complained that he couldn't sleep after the war. He must have a neurosis. During the war his family had to flee. The Serbs were bombing the towns, but not with aviation, but with shelling. Despite everything, my interpreter kept a mind of philosophic cast, he said: "There are no bad peoples, there are bad and good persons. There are many good people among the Serbs. And there are many bad people among the Albanians".

I think, the mutual hatred will gradually disappear in Kosovo. The most important, now Kosovars have elected a democratic power and will choose their destiny themselves".

Zmitser Salawyow
Member of "Viasna",
Navapolatsak

"First we had a training course in Greece. We were taught about the regulations of the election procedure – how should the election be conducted. Obviously, there was an election commission, headed by a chairperson, at each polling station. Supervisors had the following functions: to watch that all their actions are in line with the election procedure, which had been worked out very clearly, by the way. It provided for everything in order to make the election procedure free, fair, and democratic and to prevent any possibilities of forgery and abuse of power. There were several control systems.

Each of us, the members of OSCE mission, had to make a will in case of a tragedy. If a person died, the people, who he mentioned in the will, would get 160,000 Euro. But our security was ensured on several levels. Although nobody of us had personal guards, there was no need for that. Local population was very positive towards OSCE representatives. They are all sure that OSCE is an organization which helps to overcome problems and set the life back on its pace. A document, which shows you belong to OSCE mission, was our best safeguard in Kosovo. The peace keeping forces of KFOR control the situation. Besides that, there is international police.

I think the situation in Kosovo is totally under control. The only danger were the areas still unclear of mines. But if one doesn't walk where one isn't supposed to walk, the danger is minimal. I was really impressed how actively the people are building their peaceful lives in the post-war country. As far as I understood these people would never stand bondage and humiliation".

Yury Palakow,
International Coordinator
of the Civic Initiative
"Independent Monitoring":

"My polling station was situated on the Albanian border, in a very remote village Gramasel, where the Albanian resistance started. The polling station was in a village school; we really worried that there would be no electricity. It gets dark at 3 p.m.; and the polling stations should be open from 7 a.m. to 7 p.m. Normally there is electricity 2 times a day, for 3 hours each time in this area. The same situation is with water. But the authorities did their best, and there was electricity all day long on the Election Day. My companions were a guy from the Netherlands, and 2 women from the US and from Spain. We had a polling center, which consisted of 4 polling stations. Each supervisor was responsible for 1 polling station. There were 600 voters at my polling station. 420 of them came to the polls. So, the turn out was 65%. The people voted mostly in the morning. At 7 a.m. there was a line of voters standing in front of the polling station. There was a list of voters, and it depended on the surname of a voter, which polling station he should vote at. Normally a village – this is people with the same surname, only first names are different. I had almost 300 people with same surname at my polling station.

I was surprised by a large number of illiterate people in the villages. Mostly these are middle-aged women. They couldn't read or write, and were assisted by their relatives. But many local people speak German, they have worked in Germany to earn a living for their families in Kosovo. Usually I spoke German to the local people. Besides that, I had an interpreter, who spoke English. Some people know Russian language, because they worked at the Russian North during Soviet Union times.

There were practically no Serbs in that area. Only Serb monks in the Monastery. The monastery was guarded by international troops. It was surrounded by several lines of barbed wire. The Albanians are not let to enter a 1 kilometer zone around the monastery. There are tanks, armored cars, and soldiers. At night the Americans took us to the monastery, so we could see a service. It was very interesting. I am Orthodox myself. The monastery is from the 13th century. I experienced a very special feeling there. The monks live there as in a prison, it's not allowed to go out of its gates. All the monks volunteered to live here, the Orthodox officials cannot send anybody to that monastery without his will. Everybody follows his calling to come here. I was really surprised that right during our visit they were accepting 3 new monks to the monastery. Abbot Savva is a very educated person, he speaks wonderful English and designs a web-site.

This Kosovo area was totally ruined during the war. We were shown the pictures of 1999 – everything had been destroyed, like in Hiroshima. There are still the marks of war everywhere – houses with bullet marks, ruined churches, and mosques, a lot of the war-disabled and the wounded (both men and women). A lot of monuments to OCK members. But they have re-built a lot. Women work in the private sector, and men are building – there is no other work – high unemployment. Where do they get money for building from? Albanian families are usually big. One family member goes abroad to work, for instance, to Germany; and sends money back to his family; the family is using the money to build a house.

The election was very well organized. OSCE had put a lot of efforts in that. There were 8 domestic observers from different political parties, and a few observers from the European Union. Representatives of different political parties smiled to each other. I haven't noticed any tension between them. Everybody in Kosovo had a positive attitude towards us – like to the representatives of OSCE, who brought democracy to the country".

Prepared by Valantsina LETSKA and Palina STSEPANENKA.



"Look out! Mines!" – a training course for supervisors

EVENTS FACTS COMMENTS

(Continued from pages 1)

On November 19 the trial over *Andrei Yahoraw* in the frames of the trials over Kurapaty defenders took place. The police detained Andrei Yahoraw, an observer of the Human Rights Center "Viasna", although he was wearing an observer-badge. The badge was confiscated and attached to the case. Savetski district court ruled to fine Andrei 6 minimal wages. On the same very day there were 2 more trials over Kurapaty defenders. Alexander Hubeika, who had been detained when walking to the press-conference, which was taking place in Kurapaty, received a fine of 10 minimal wages. Henadz Drankovich – a fine of 6 minimal wages.

On November 19, more than 100 people gathered to support independent ***newspaper "Pahonia"***, closed down by the Supreme Economic Court. Unauthorized picket took place on Savetskaya Street in Hrodna ("Pahonia" is a popular Hrodna newspaper). The picketers – "Pahonia" readers and journalists, held banners with the slogans against repression of the freedom of speech in Belarus. Immediately after the end of the picket, the police invited three picket participants, "Pahonia" editor-in-chief Mikola Markevich, and journalists Andrzej Pisalnik and Paval Mazhejka, to come Hrodna Leninski Department of Internal Affairs. There the police drew up reports for violation of article 167.1 of the Code of Administrative Violations ("unauthorized picketing"). The administrative cases against Andrzej Pisalnik and Paval Mazheika will be heard tomorrow. The trial over Mikola Markevich will take place later, after he returns from Poland. "Pahonia" editor-in-chief went abroad to meet with Polish influential politicians. Mikola Markevich intends to propose the idea of hearings in Polish Parliament on the fact of closing down "Pahonia" and the attack of Belarusian officials on the freedom of speech in Belarus. .

On November 21 Savetski district court continued the trials over Kurapaty defenders. The following verdicts were made:

Mikalai Tkachenka – fined 5 minimal wages by judge Ruslan Kazadayew;

Yauhen Afnahel – fined 6 minimal wages by judge Axana Relava;

the trial over Mr. ***Kazakevich*** was postponed to 2 p.m. on November 26 by judge Ina Sheiko;

The trial over ***Maxim Sasim*** was postponed to 2.30 p.m. on November 27 by Axana Relava

When Free Trade Union members of Minsk Tractor Factory walked in their office in the morning of ***November 27***, everything in the room was turned upside down. Viktar Ivashkevich, chairperson and editor-in-chief of newspaper "Rabochy" (Worker) thinks that "this is a continued effort of the authorities to shut down free trade unions. The regime has 2 kinds of tactics towards trade unions. If we are talking about the official Federation of Belarusian Trade Unions, the policy is to interfere with their internal business and to help the "right" people to become the Federation officials. The regime has a different policy towards Free Trade Unions. They do not register our local unions, liquidate them, and intend to push them beyond the bounds of legal activities. We observe this tactics since 1999. It did not end after the election".

On November 29 Mahilow court started the hearing of the case of Viktar Yasiukevich and Tamara Lewskaya. Yasiukevich and Lewskaya were the members of the initiative group of presidential candidate Uladzimir Hancharyk. They are accused of disobeying the police demands during the election campaign. Viktar Yasiukevich and Tamara Lewskaya are also criminally charged with resistance to a policeman.

DAY OF UNIVERSAL DECLARATION OF HUMAN RIGHTS



Historic picture: *New York, June 21, 1981; US Belarusian Diaspora representatives rally in support of dissident Mikhas Kukubaka in front of UN building. (photo — Alex Silvanovich)*

A RIGHT TO A MISTAKE...

(Continued from page 3)

It's the lack of responsibility, of a regular professional culture. Hospitals even stopped conducting clinic-anatomical conferences, which was a regular thing before. For some reason doctors stopped to learn from their mistakes.

Where do we have so many unprofessional doctors from? I have often written, that real professional are not honored in our country. Those, who work well, know a lot; those who know a lot, cannot shut their eyes to disorganization in all spheres of our life. Nobody likes such people in our country. Medicine is no exception... Medical universities in Belarus have always enjoyed prestige in Belarus. And a bribe to become a medical student has always been quite high. So, one doesn't need much knowledge or desire to learn to become a medical student. Unfortunately, the only thing one needs is enough money to bribe the examiners. This is the most probable origin of unpleasant consequences for us, the potential patients. When an unqualified doctor works in a hospital with poor facilities and insufficient equipment, the negative effect can double. And we are the one suffering!

Until now we have been talking about unintentional mistakes, which appeared as a result of doctor's unskillfulness. But the stick has another end: when medical "inadvertence" lies in the frames of a certain state policy. Examples? There are plenty.

I am more than sure that Belarus is a country of alcoholics. The official statistics proves that fact very imperceptibly. For the simple reason that Belarusian alcoholics officially die out of heart diseases.

The numbers of dangerous radiation effect would look more horrible, if Chernobyl victims weren't taken off the books for no reason. To say nothing of small radiation doses, which are completely ignored by official medicine, as well as radiation sickness disease.

My story would not be complete without mentioning the mysterious death of the well-known politician Henadz Karpenka – the most real candidate to post of the President. What was the reason of the death of this energetic and very perspective politician? May be only because he got into hospital and somebody benefited from that?..

I am not calling to launch a severe case titled "The Case of Belarusian Doctors", as it happened during Stalin rule. But I don't want to leave it as it is as well. Fighting for my human rights, I see a way out in a change of the state policies. If the people "live bad but not long", not scapegoats, but presidents should be changed.

Ales HARKUN.

"Kamarowka" Case

The trial over Tunisia citizen Gafsi Shakri bin Tamda ("RtF" mentioned it in the issue#85-86) is over. The prosecutor requested to punish the accused with imprisonment for 9 years. The decision of Savetski district court of Minsk was not much softer: 8,5 years of jail...

Just 5 Court Sessions...

Let us remind the readers that the citizen of Tunisia, who worked in Minsk "Kamarowka" market, was charged with a fraud. The charge grounded on his debt to some of his colleagues and financial difficulties to pay it off after a batch of his goods had been confiscated. When the police of Savetski Board of Internal Affairs were detaining Shakri, his documents mysteriously disappeared. The victims brought their applications to police after he had been detained (though, logically and legally, the very applications must be the ground and the primary reason for a detention).

In the spring of 2001, after 2 court sessions, the court was adjourned. The sessions were resumed only in the end of August. The judge announced a verdict on a very complicated, to the mind of lawyers, case, just after 5 court sessions.

A Witness, Turned into a Swindler

Interesting details emerged in the course of the trial. Everything started when the foreign merchant applied to Savetski district KGB board and they launched an investigation of machinations, happening at "Kamarowka" market. So, in the spring of 2001 he came to local KGB office twice, where he was interrogated as a witness. All of a sudden, he was detained by police, just by a "mere" coincidence. In addition, the people who witnessed against him or spoke in capacity of victims were the same very people, which were being investigated by KGB, in the frames of the criminal case, started upon the application of Shakri. It would be interesting to know, that the defendants, who suddenly turned into victims, are considered to be the racket "roof" of "Kamarowka" – the so called "fathers" of the market, its masters, that practically dictate their will to the merchants...

Round About the "Kamarowka" Case

The story of a Tunisian businessmen gives a detailed and clear picture of the work and life conditions of "Kamarowka" – or any market – merchant, who deals with supply or sale of goods. The conditions are quite complicated. Evidently, the matter is not only the tendency of the state economic policy (even Lukashenka have already started talking about the necessity to slacken the reins for businessmen). When the state power itself is merged with Mafia and behaves along clan principles, liberalization of economy can happen, but for "friendly clans" only. There will be the same Mafia-related groups in every sphere of life, they just need to agree with the authorities on the price of mutual non-interference. This is happening in every business sphere, including mass media.

Journalists of the biggest "presidential" newspaper in Belarus could have played a critical role in the fate of the heroes of this sad story. At least, the today's convict could have remained a witness, not saying of being under investigation or under trial. Almost 2 years ago our hero appealed to the editor-in-chief of that newspaper and told him about the cases of corruption on "Kamarowka" market. The editor-in-chief, a person, experienced in journalism, decided not to rush for a sensation and to check the facts. Several journalists of this newspaper with the biggest circulation in Belarus had even changed a job temporarily – they became engaged in "Kamarowka" commerce. The negative information about machinations on the market proved to be true. But instead of writing an article about that, the journalists kept silent; and the editor-in-chief presented the facts the President himself. As the result, not only "Kamarowka" authorities, but also some officials of Savetski district administration were dismissed.

But the big shake-up didn't affect the fates of both Shakri and Dus, his opponent. They both continued to accuse one another, the first one applying to KGB, and the other one – to the Ministry of Internal Affairs. It was police who won in the end – Shakri got to prison. Dus remained clean and spotless, having eliminated his former friend and competitor.

Traditions and Modernity

The newspaper, whose editor could have, but didn't want to do his journalist's duty and dot all "i"s in this "Kamarowka" story; the newspaper, which many associate with lies and barefaced pro-Lukashenka position as it is, turned out to have a very direct connection to the history of Gafsi Shakri's family. I had learned that from Shakri's father-in-law right before the verdict was announced.

The thing is, that grandfather of Gafsi's wife, Yulia, worked for the newspaper in the forties. The name of that person – Mikalai Zhylin – can still be found in the newspaper archives. Mikalai Zhylin died during the Second World War. During occupation of Belarus, the fascists killed the journalist for the close links with communist underground movement. Many years have passed, and the tragedy came to the third generation of he Zhylins. But, it seems, the destructive baton was taken up by another generation of colleagues of Yulia's grandfather.



Migrants from the countries of the former USSR come to Belarus together with winter. Their entry is absolutely not controlled because of the transparent border with Russia. They don't work on "Kamarowka" market, they "work" nearby – begging for money. Kids are begging for money, and their mothers observe them from afar.

WORKING DAY AND NIGHT

OR AN INSIDE VIEW OF POLICE LIFE

Let's have a look at the Criminal Investigation Department. It is situated in the building of the District Board of Internal Affairs (DBIA), but investigators are not subordinate to the head of the DBIA. A District Criminal Investigation Department is subordinate to the appropriate regional Board of the Investigation Committee. So, in reality CID is relatively independent from DBIA. It is due to this reason, that investigators do not participate in keeping the order at various public events. However, the Board of the Investigation Committee can order all investigators to stay at their working places until they get a "retreat" command. Anyway, CID can fairly be called the Brain of the DBIA. It accumulates and summarizes the work of the whole DBIA. such relative independence of CID forces it to find the ways to survive in the DBIA. If an investigator did something not the way it was planned by the head of the DBIA, it would grow into a real scandal, with the CID head involved in it. For instance, an investigator refuses to initiate an action because the collected evidence is not enough. However, the head of the DBIA is convinced that his subordinates have collected all possible evidence. But usually investigators manage to uphold their point and it's quite difficult to argue with them. As a result, once an investigator undertook prosecution, all other DBIA departments wash their hands of the case, leaving the investigator to fight alone. Sometimes investigators experience various dirty methods used against them. They might be accused in all sins of the humankind.

Investigators have the biggest amount of work to do. They can work on up to 15 criminal actions brought against persons and up to 70 cases, initiated on the fact of the crime, at a time. But the most important is the demand to regularly bring cases before the court. The term of preliminary inquiry of a charge against a person is 2 months, but CID management demands to do it in 2-3 weeks, in some cases, only 2 or 3 days. There is a competition between CID offices of different districts, concerning who manages to bring more criminal cases before court every month. But one should also take care, that the case is not returned for further investigation. Even worse, if it is proved, that a person has been insubstantially accused. CID can lose many well-deserved "points" in case this happens. But the worst of all is a verdict of "not guilty". One acquittal, and the monthly work of the whole Department goes waste. Only few people can bear such a working load for a long time. Every year, CID changes 60-70% of personnel. Investigators have to work from the morning right up to the late evening, including week-ends and holidays.

(Continued. See beginning in issue # 20-21 (92-93))

Registry Office and Analytical Center are the most attractive in a DBIA. There is no much work there, no need to work on week-ends and holidays, no need to work overtime. There are no military relations in those departments. In addition, an employee of Registry office can receive a Cognac or a chocolate bar almost every day. There are practically no vacancies at these departments, and it's almost impossible to get a job there.

Economic Crimes Department experiences a huge shortage of professionals. Their work is reflected in the number of criminal cases, initiated by the results of the examination, conducted by the staff of this department. Investigators get quite a small number of such cases, and only half of the cases are brought before court. The rest are dismissed for the lack of corpus delicti in the actions of the charged person. Obviously, this is quite a bad indicator of the work of Economic Crimes Department.

Let's stop our review of each service and department separately, the more so we have already reviewed the most interesting ones. For example, almost everyone had to deal with Patrol Company of police service at least once in their life. There is no sense to talk about them. I should only mention, that these are young guys, who do not have appropriate education – not even police secondary school. The patrol company is the "legs" of DBIA, and there is nothing more to say about them.

Let's have a look at interrelation between police and authorities. Policemen don't talk about politics. It is difficult to find an employee who reads serious newspapers. This is the result of a great amount of work. There is simply no time for that. The majority of policemen consider politics a dirty business. They don't really care, who is in power now. They would just act in accordance with the legislation, no matter what it is. During the last presidential campaign the DBIA management did not order how the employees should vote, it was especially highlighted that this is a personal choice. However, everybody was warned about compulsory participation in the elections, and early voting was advisable.

I should certainly mention the issue of material resources of Belarusian police. The pay depends on long-service bonuses, rank, working time, and the amount of work done. This way, the salaries in the police are between 140 and 450 thousand Belarusian roubles (90 and 280 US dollars). I would like to underline, that a regular policeman earns a lot less than 200 dollars. On the other hand, relatively high earnings, in comparison to the teachers, for instance, are the reasons for not paying attention to politics. And if we take into account an opportunity to receive a good bribe, what politics are we talking about?

In the end I would again like to talk about the inner life of a police station, and give a few pieces of advice, which could help to work and survive in this sphere. Everyone should make a mental note that wagging the tongue is unforgivable here. There are whole networks of secret informers and gossips. The so called "whistlers" exist in every service and every department. A police unit is a lot like a military unit. It is especially difficult for newcomers with no background of military service, Police Academy or police secondary school, where one could get used to that. During the very first days of work, a newcomer should demonstrate his abilities in front of both management and other employees. These days determine his further work in police. At least, it will determine if they are going to push you around, or not. It is 100 % true that they judge by first appearance in police. A newcomer should also remember not to get overloaded with work, and to put your personal life first. It is necessary to allow as much free time as possible: free time for rest and for personal life. Otherwise a policeman would become just a screw in the system, and everybody would feel free to order him about. It is also important not to stand out against the other policemen – it will not help to advance to the top of the ladder. The better you work and the better showing you make, the more work you get next time. The most effective approach is to work less, but with quality, and not to lose your free time. And only personal contacts would help to get to the top of the ladder...

This is how one of Minsk DBIAs looks like. The same picture can be observed everywhere. I don't want to draw any conclusions. Everybody cam do it him- or herself. My opinion was that the work of a policeman is not easy and has its own peculiarities. Policemen drink vodka not out of a good life...

Klim CHURKO.

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